DAILY CONFEDERATE.

A. M. GORMAN & Co., Propr'rs.

DAILY EDITION, for 6 months.....$25
" " " 3 " 15
" " " 1 " 5
TRI-WEEKLY, " 6 " 15
" " 3 " 10
WEEKLY EDITION, " 6 " 10

No subscriptions received on any other terms than the above, nor for a longer or shorter period.

MISCELLANEOUS PARAGRAPHS.

The Columbia and Charleston papers have advanced their terms of subscription to eighty dollars per annum, and advertising rates to five dollars per square.

The passage of the act extending the time for exchanging the old issue for the new, has been officially announced by the Secretary of the Treasury.

Recently the wife, son and daughter, of General Preston, of Kentucky, arrived in a steamer at Boston. Orders from the Yankee War Department refused them permission to land, and also declined their request to leave by rail for Canada. They therefore remain on the steamer, to be carried back whence they came.

DEATH OF SOLDIERS.—Edward F. Barber, Company B, 4th Regiment N. C. Troops, was killed in battle at Spottsylvania Court-House, May 19th, 1864, aged 24 years.

John R. Barber, Company C 49th Regiment, N. C. Troops, died in Rowan county on the 29th Nov., 1864, of disease contracted in the discharge of duty at Petersburg, aged 26 years.

The idea of exploding a powder vessel away out at sea, a thousand yards from the Fort, was a rich one. It really did no harm to the Fort nor to anything in it. The thing would have been complete if they had deployed two or three hundred Chinese gongs "to fright the souls of timorous adversaries." The grand blowup is the theme of merriment among the soldiers and officers of the garrison. It is said that information has been received from a confidental source, going to show that if the Yankees did really, and on purpose, blow up this vessel, they soon found themselves in the position of the engineer "hoist by his own petard," since the effect of the shock was such as to cause some five or six of their own vessels to sink, and to make all the others leak. One thing is certain. The fleet did not after leaving here, return directly to Fortress Monroe. It put into Beaufort, and it is only within a day or two that information of its departure for the North has been received here. Many of the vessels had their pumps going constantly. That fleet was unfortunate in every way.—*Wilmington Journal.*

THE DEFENCE OF WILMINGTON.—When, says the Lynchburg *Republican*, General Bragg was sent to command the post of Wilmington, it was sagely predicted by the enemies of the administration that that city would certainly fall into the hands of the enemy. The glorious defence which that gallant officer has made of Wilmington against the most formidable land and naval expedition which ever sailed from a Northern port, is as creditable to General Bragg and as disgusting to his enemies, as it is gratifying to the country. The discomfiture of Porter and of Butler was complete, according to their own confessions, and of course, their disaster was far greater than admitted by them. The tide of victory and good fortune, we hope, has again turned in favor of the Confederate cause, and if our people are half true to themselves, and do not give way to moral cowardice, ultimate success is inevitable.—*Petersburg Express.*

REV. BASIL MANLY, D. D.—We learn, says the Augusta (Geo.) *Baptist Banner*, from Prof. Manly, of South Carolina, who passed through our city last week, that his father Dr. Manly, of Alabama, suffered a severe stroke of paralysis about two weeks ago, and that his position at the present time is extremely critical. This announcement will be heard with pain by multitudes all over our Confederacy. No living minister is more widely known, and where known more respected and beloved, than Dr. Manly. He has been a prominent man, filling various distinguished positions among the Baptists for nearly half a century. The last time we saw him he appeared to be enjoying a green old age. We had hoped that he might be spared for many years of usefulness. But we fear, from the nature of his disease, that his days of active services are at an end. May he possess in his afflictions the consolations of that Master whom he has served so long and so faithful.—*Petersburg Express.*

Maj. Gen. Patrick R. Cleburne.

"Cleburne is dead," and as we hear the words repeated, our eyes fill as we look back over the associations that cluster around his name, and his noble heroism in defence of his adopted land.

There was no officer in the army more universally beloved for his gallantry and gentle bearing than he, and his loss will be deeply felt not only by those with whom he has been so long associated, but by the whole country, for his name and fame was broad as our own sunny land.

At the beginning of the war he was engaged in the practice of law in Helena, Arkansas, where he located when he emigrated from Erin's Green Isle, and when the tocsin of war sounded, he was the first to offer his services as a private in the Helena rifles, but his well known merits and qualifications were recognized, and he was selected to command the company, and when the 15th Arkansas regiment was formed at Mound City, he was unanimously elected Colonel, and at Shiloh amid the storm of shot and shell, he won his wreath and the lasting friendships of Gen. Hardee, who saw and recognized his merits and has ever since remained his steadfast friend.

Well do we remember his words when the wily Joe Hooker attempted to seize Dug Gap, near Dalton, last spring. "Tell Cleburne to go, to go himself, he must be there," and the wild shout of his noble division as he rode like Sidney down the lines, and took his place at their head, and pointed with his gleaming sword to the spot where "Cerro Gordo" Williams was struggling against the hosts, and his clear cry of "forward men."

But he is dead! No more will his form be seen where the battle rages thickest, calm and grand in his own proud disregard of the "leaden rain and iron hail" that fell around him, yet ever mindful of those he commanded. But in after years his grave will be visited by those for whom he poured out his life-blood that they might be free.

Weep for the hero that is no more, save in the rich memories of the past, but whose fame shall endure wherever the deeds that ennoble men in a great cause, are spoken, and whose name will be perpetrated as a synonym of all that is great and good. [*Picket.*

DAILY CONFEDERATE.

VOLUME II. } RALEIGH, N. C. TUESDAY, JANUARY 10, 1865. { NUMBER 8.

SALE OF NEGROES.

On Tuesday, the 10th of January, I will sell at the Auction House of Wm. F. Askew & Co., on account of whom it may concern,
FIVE YOUNG AND LIKELY NEGROES,
two No. 1, men and three boys. These Negroes are sold for no fault, and are of good character.
jan 9-d2t JOHN R. SEDGWICK.

B. F. POWELL,
AUCTION AND COMMISSION HOUSE,
WARRENTON, N. C.
*** Strict attention given to the sale of all kinds of Merchandise, Negroes, Stock, &c., &c.
REFER TO
W. B. Hamilton & Son, Mobile; J. W. Carroll, formerly of New Orleans; R. A. Hamilton, Petersburg, Va.; Bacon & Baskerville, Richmond, Va.; Creech & Litchford, Raleigh, N. C.
jan 9-dtf

A. DOLPH COHN,
WHOLESALE TOBACCO,
AUCTION AND COMMISSION HOUSE,
GOLDSBORO', N. C.
*** Liberal advances made on consignments.
REFER TO
A. T. Jerkins, Pres't Bank of Commerce, Company Shops; P. V. Daniels, Sr., Pres't R. F. & P. R. R. Co., Richmond, Va; McDaniel & Irby, Lynchburg, Va. jan 9 d3m*

COMMODIOUS HOUSE TO RENT.
A large building at Ridgeway Depot, containing eight rooms, two acres of ground for a Garden, Horse Lot and Stables. Also, a convenient Store-House, Blacksmith Shop, and Coach-Maker's Shop. This property is situated immediately at the Depot, and can be seen and rented of Mrs. Mary Collins, at Ridgeway.
jan 9-d6t WM. F. COLLINS.

WANTED.
TWENTY-FIVE BALES OF RAW COTTON, to be returned at the end of the war, or its value in gold at that time paid, if preferred. Satisfactory security given. For further particulars apply to TUCKER & ANDREWS,
jan 9 d2taw2w Raleigh, N. C.

SELECT BOARDING AND DAY SCHOOL—HILLSBORO', N. C.
THE Misses Nash & Miss Kollock will resume the exercises of their School on FRIDAY, 27th JANUARY, 1865.
Circulars forwarded on application.
dec 20-d10t

STOCKHOLDERS MEETING.
A meeting of the Stockholders of the "Confederate Joint Stock Publishing Company," will be held at the Exchange Hotel, in this city, on Tuesday, the 24th instant, at three o'clock, p. m., for the purpose of organizing under the Charter granted by the recent session of the Legislature. Stockholders who cannot attend in person, are earnestly requested to be represented by proxy.
By order of the President:
jan 7 tjan24 W. E. ANDERSON, Sec'y.

HEAD'QRS, CAMP INSTRUCTION, Raleigh, N. C., Jan. 6th, 1865.
IN accordance with the provisions of General Orders, No. 25, Adjutant and Inspector General's Office, of March 6th, 1863, the owner of the following slave, re-captured in East Tennessee, will call at this Camp and prove his claim to said slave, as required by act of Congress:
EMANUEL,
Age 27 years, dark eyes, black hair, brown complexion, 5 feet, 4½ inches high; said to be the property of a Mr. —— Montgomery, of Blount County, Tennessee.
By order of WRIGHT HUSKE,
Lieut. and Acting Comd't Camp.
C. H. WRIGHT, Adjutant.

LOST,
On the night of the 26th December last, a CHEST OF BOOKS AND PAPERS, marked "Maj. S. V. Reid, C. S., Wilmington," which was put on the mail train at Goldsboro' and was missing on the arrival of the cars at Raleigh. Any information resulting in its recovery will be liberally rewarded. Address,
NAT. ALLEN,
jan 5-d3t* Wilmington, N. C.

HEAD'QRS POST AT RALEIGH, N. C., January 5th, 1864.
GENERAL ORDERS, No. 1.
I. Pursuant to orders this day received from the Secretary of War, the restriction on travel on the Railroad to Richmond, Va., is extended for six days.
II. This order does not extend to officers and soldiers returning to their commands, nor to members of Congress.
III. This order does not prohibit travel going south, nor does it extend to the Raleigh and Gaston Railroad, or to way travel westward on the N. C. Railroad.
By order of COL. WM. J. CLARKE, Comd'g.
J. L. DICKEN, Act'g Adj't. jan 6-d5t.

DESIRABLE PROPERTY FOR SALE.
ON the 20th of January inst., on the premises four miles north of Durham's Depot, in Orange county, the undersigned, will sell a tract of Land belonging to the late Capt Edward M. Scott, containing 198 acres, about one third of it woodland. The improvements are new and comfortable.
Terms of sale will be six months credit with bond and good security and title retained till purchase money is paid; or cash will be received.
JNO. C. McCOWN,
jan 2- 16t Adm'r of E. M. Scott, dec'd.
Conservative and Progress copy till day of sale and send bill to this office.

STOLEN,
From my stable, on the night of the 3rd inst., my LIGHT SORREL MARE,
5 years old next Spring, medium size, and in good order. She has a star in her face, both hind legs white to her knees, left hip perceptibly lower than the right. Any information given to the subscriber at Cary P. O., Wake county, N. C., will be thankfully received and rewarded by the subscriber, a soldier's wife.
MRS. KEZIAH OLIVE.
jan 5-eodtjan20*

A PRIVATE SCHOOL.
The FIFTH SESSION of MISS MANGUM'S SCHOOL for young Ladies, will begin on the 10th of February. Only a limited number of pupils can be received.
For further information, address Miss M. P. Mangum, Flat River Orange County N. C.
dec. 28-w6w.

CITY ELECTION.
FOR COMMISSIONER IN WESTERN WARD.
We are authorized and requested to announce C. M. FARRIS, E-q., as a candidate for Commissioner in Western Ward. If elected will serve to the best of his ability. jan 6. tde

FOR COMMISSIONER IN WESTERN WARD.
I respectfully announce myself a candidate for Commissioner, in the Western Ward. If elected, will endeavor to serve you faithfully.
jan 6-dtde W. B. HUTCHINGS.

FOR COMMISSIONER.
We are authorized to announce A. CREECH, a candidate for re-election as one of the Commissioners for the Western Ward.
jan 5-dte MANY VOTERS.

EASTERN WARD.
Editors Confederate: As your paper is a daily visitor in our Ward, we take this opportunity to announce through its columns Mr. ALFRED UPCHURCH, as a candidate for Commissioner.—We believe he will make an efficient officer if elected.
MANY CITIZENS OF THE EASTERN WARD.
jan 7-dtde

FOR COMMISSIONER IN EASTERN WARD.
Messrs. Editors: You will please announce N. S. HARP as a candidate for re-election for Commissonor in the Eastern Ward.
MANY CITIZENS.
jan 9 dtde*

FOR COMMISSIONER IN EASTERN WARD.
We are authorized and requested to announce A. KLINE, Esq., as a candidate for Commissioner in the Eastern Ward, at the election on the 16th instant. If elected he will endeavor to discharge his duty faithfully. jan 9-dtde

A FIRST RATE BOOT AND SHOE MAKER,
For Hire the present year.
CHAS. MANLY.
Raleigh, January 5th, '64.—d4t

IF a certain somebody does not send a certain somebody's PHOTOGRAPH immediately, to Wilmington, they will see their name in print in a way they would not like.
jan 5-d1t*

A YOUNG LADY, COMPETENT to teach the English branches, Music and French, wishes a situation.
Address, stating terms
WM. P. WALKER,
jan 3-15t Hicksford, Va.

WANTED TO PURCHASE IN THE CITY OF RALEIGH.
A desirable residence near the business part of the city. Apply, stating terms &c, to
BOX 105,
jan 4-d6t Columbia, S. C.

NEGROES AT AUCTION!!
ON WEDNESDAY, the 11th inst., in front of our store, at 12 o'clock, m., we will sell
ONE NEGRO WOMAN,
27 years old, an excellent Washer and Ironer, with three female children, ages 2, 4 and 6 years, all sound and healthy.
CREECH & LITCHFORD,
jan 7 dtd Auctioneers.

C. W. D. HUTCHINGS & CO.,
AUCTION AND COMMISSION MERCHANTS,
FAYETTEVILLE ST., RALEIGH, N. C.
The undersigned have this day associated themselves together for the purpose of conducting a GENERAL AUCTION AND COMMISSION business, in the store formerly occupied by Sam'l H. Young,
They promise to attend promptly and faithfully to all business entrusted to them.
C. W. D. HUTCHINGS,
SAMUEL H. YOUNG,
jan 7-d6t A. J. PARTIN.
*** Conservative, Progress and Standard copy one week.

NOTICE.
W. H. CROW, Agent for the Neuse Paper Mill Company, will pay the highest market price for Rags and Damaged Cotton. Persons having either for sale will please call at the office formerly occupied by General Haywood, Raleigh, N. C.
dec 21-d1m

THE BINGHAM SCHOOL.
A MILITARY AND CLASSICAL FINISHING ACADEMY.
The next session will begin at Mebanesville on the N. C. R. R., Feb. 1st, 1865. While the old course has been retained, extensive additions have been made, with a view to making *good soldiers* as well as good scholars.
Address. COL. WM. BINGHAM, Superintendent.
nov. 21-40t. Oaks, N. C.

NOTICE.
WE HAVE FOR SALE ON REASONABLE terms at Greensboro',
5,000 bunches Cotton Yarn.
1,000 boxes Tobacco.
CYRUS P. MENDENHALL,
Prest. N. C. V. N. C.
Greensboro', N. C., Dec. 29, 1864. d12t

OFFICE PIEDMONT RAILROAD CO., Danville, Va. Dec. 14, 1864.
STOCKHOLDER'S MEETING.
The Annual Meeting of the Stockholders of the Piedmont Railroad Company will be held at the office of the Company in Danville, on Wednesday, January eighteenth, 1865, at twelve o'clock M.
W. HENRY WHITE,
de 17-dtI8th Auditor.

IRON! IRON!
The Lockville Mining and Manufacturing Co. are now making Iron of the best quality for plantation purposes, and will exchange the same with farmers and others for scrap Iron, negro-labour and provisions—Iron now ready for delivery at the works in Chatham County. We can also deliver in Raleigh or at any of the Stations on the Raleigh & Gaston or N. C. Railroads. Address the undersigned at Raleigh, or W. S. Downer Sup't. Egypt, Chatham County. We will now receive orders for Car Wheels, Locomotive tires and heavy castings. W. J. HAWKINS,
dec. 28-d-tf. Prest. L. M. & M. Co.

MRS. MILLER continues to accommodate Boarders, by the day, week or month.

WANTED,
A Clerk for the Boyden House Hotel. Salisbury.
Address, W. H. HOWERTON.
jan 5-d3t

THE HILLSBORO' RECORDER ESTABLISHMENT FOR SALE.
In consequence of failing health, the Proprietor of the Hillsborough Recorder has been induced to offer the establishment for sale. He will therefore receive proposals from any one disposed to purchase, until the first day of February next. The Recorder has been nearly forty-five years in existence, has a respectable list of subscribers, which may be considerably increased by an enterprising editor. It has a fair share of job work and advertising custom. If not disposed of by the first of February, other arrangements will be made for a continuance of the establishment. dtfeb1

WARRENTON FEMALE COLLEGIATE INSTITUTE.
The 49th session will commence the 2d of Feb. 1865. Boarders should apply soon.
JULIUS WILCOX,
jan 4-d5t Pricipal.

ALMANACS! ALMANACS!!
TURNER'S ALMANAC FOR 1865.
Price per hundred $75 00
Price per dozen, 10 00
Price per single copies, 1 00
Send in your orders at once
BRANSON & FARRAR,
jan 3-1w Raleigh, N. C.

TAX IN KIND.
The Assessors for Wake county will be in Raleigh from the 2d of January, 1865, until the 20th for the purpose of assessing the Tax in Kind of corn, fodder, molasses, sugar, peas beans, ground peas, &c. We want every good citizen to give in for the soldiers' wives, ladies and infirm persons of their neighborhood. Those who have not listed their wheat, oats, rye, hay, and wool, can also list at the above time.
F. G. FOSTER,
NATHAN IVEY, } Assessor,
jan 4-dtd

$50 REWARD.
LOST between the C. S. Commissary Department and the Raleigh & Gaston Depot, my FURLOUGH AND OTHER PAPERS.
I will give the above reward for their delivery at the "Daily Confederate" Office, and no questions asked. CORP'L T. H. STONE,
jan 6-dlt* 12th N. C. Infantry.

WANTED.
Two ladies of experience in teaching. One well qualified to instruct in French and Music, or French and Higher English. The other, in Higher English and Mathematics. Address, stating terms and enclosing testimonials, Box 2, Warrenton N. C. dec 31-d7t*

OFFICE N. C. RAILROAD COMPANY, Company Shops, Jan. 2, 1865.
500 NEGROES WANTED!
The North Carolina Railroad Company desires to hire
FIVE HUNDRED NEGRO MEN.
It will pay eight hundred dollars for laborers, and one thousand dollars for Mechanics in Confederate money, for the year.
Negroes hired to the road will be free from impressment.
T. J. SUMNER,
jan 5-d3t Engineer and Sup't.

$50,000 RANDOLPH COUNTY BONDS.
By virtue of an order made at November Term, 1864, of Randolph County Court, I will offer for sale at public auction, to the highest bidder, at the Court-House door in Ashboro', on the 7 h day of February, 1865,
FIFTY THOUSAND DOLLARS in Coupon Bonds of said County. The said Bonds to run for two years from date, bearing interest at the rate of 6 per cent. per annum, to be paid semi-annually in such currency as will be received in the payment of public taxes.
This second of January, 1865.
J. M. WORTH,
jan 5-d30t County Commissioner.

W. F. ASKEW & CO.,
AUCTIONEERS.
FAYETTEVILLE STREET, RALEIGH, N. C.
ON TUESDAY, 10th January, 1865, at their Sales Rooms, will offer
FOURTEEN LIKELY NEGROES
AS FOLLOWS:
3 Likely young men.
1 Woman, an excellent Cook, Washer and Ironer, with her four children.
1 Woman, good Cook, Washer and Ironer.
1 do " " " "
1 Girl, 9 years old, likely,
1 " 11 " " fancy and smart.
1 " 8 " "
1 Boy 6 " "
Others to be added by day of sale.
ALSO,
2 Fine young Brood Mares, and a fine new double set Buggy Harness.
At the same time a likely young Negro man for hire. jan 5-d5t

DAVENPORT FEMALE COLLEGE,
LENOIR, CALDWELL COUNTY, N. C.
The next Session will commence February 23d, and end July 30th. Charges in provisions at Peace prices, per Session of half year:
Board and Washing..... $45,60
Tuition, ordinary branches..... 18,50
Music and use of Piano..... 22,50
Provisions will be delivered at the nearest Depot to the patron, he taking Agent's receipt, and bearing half the risk and expense of transportation. Prices in Confederate currency not yet fixed. Young ladies will be conducted to the College by the undersigned from Columbia, or any intervening point. Address the President immediately, and state the kind and amount of provisions you will furnish. A. G. STACY,
jan 5-d2t President.

THE CHURCH INTELLIGENCER,
DEVOTED TO THE INTERESTS OF THE PROTESTANT EPISCOPAL CHURCH IN THE CONFEDERATE STATES,
is now published by the
PROTESTANT EPISCOPAL CHURCH PUBLISHING ASSOCIATION IN CHARLOTTE, NORTH CAROLINA.
REV. F. M. HUBBARD, D. D., } EDITORS.
REV. G. M. EVERHART, A. M., }
TERMS OF SUBSCRIPTION—CASH, IN ADVANCE:
For three months..... $ 5
For six months..... 10
For one year..... 20
*** For Army or Hospital distribution, a deduction of twenty-five per cent.
*** All communications should be addressed, Church Intelligencer, Charlotte, N. C."
nov 1-d2t

OFFICIAL.
POST Q. M. OFFICE, C. S. A., Salisbury Dec 17, 1864.
SAWYER WANTED.
A competent Sawyer is wanted to take charge of a Steam Saw Mill, situated on the Western N. C. Railroad. A good machinist, fully able to take charge of a large mill running exclusively for the Government, can hear of a good situation, if exempt or can be detailed, by applying to
JAS. M. GOODMAN,
dec 20-d1m Capt. & Post Q. M.

POST QUARTERMASTER'S OFFICE, C. S. A., Salisbury, N. C., Dec. 17, 1864.
NEGROES WANTED.
THIS Department wishes to hire for the ensuing year:
(4) Four Blacksmiths,
(6) Six Carpenters,
(2) Two Wheelwrights,
(70) Seventy Wood Cutters and Laborers, for which will be paid a liberal price.
They will be well fed and supplied with good clothing. Those having able bodied negro men to hire, may find it to their advantage to address
JAS. M GOODMAN,
dec 20-d1m Capt. & Post Q. M.

TREASURY DEPARTMENT, CONFEDERATE STATES OF AMERICA, RICHMOND, November 28, 1865
THE holders and owners of coupon Bonds and Certificates of Stock issued under the act of August 19th, 1861, redeemable after the 1st day of January and July, 1864, are hereby notified to present the same for payment to the Treasurer, one of the Assistant Treasurers, or a Pay Depositary of the Confederate States, funds having been placed in the hands of these officers for the purpose of redeeming said bonds and stock. No interest will be allowed thereon after January first, 1866. G. A. TRENHOLM,
de 13 taw2m Secretary of Treasury.

TREASURY DEPT., C. S. A., RICHMOND Dec. 1 1864.
SEVEN-THIRTY TREASURY NOTES.
In pursuance of an act of Congress, approved November 28th, 1864, entitled "An act to authorize the Secretary of the Treasury to exchange coupon bonds for seven-thirty Treasury notes," holders of such notes are hereby notified, that after the payment of the annual interest due them on the first day of January, 1865, upon presentation of the same, the Treasurer, Assistant Treasurer, and Pay Depositaries—as designated at foot—will issue certificates therefor, which will entitle the holders to coupon bonds payable thirty years after the first day of January, 1865 bearing six per cent. interest from said first of January, 1865, payable on the first days of January and July in each year.
The Treasurer, Assistant Treasurers and Depositaries, will make weekly reports to the Register of the Treasurer of such certificates issued at their offices; whereupon, bonds will be sent forward in satisfaction of same. The notes will be cancelled in the usual manner, and forwarded to the First Auditor.
G. A. TRENHOLM,
Secretary of the Treasury.
Treasurer at Richmond, Va.
Assistant Treasurers at Charleston and Mobile.
Depositaries at Raleigh and Wilmington, N. Carolina.
Depositaries at Charleston and Columbia, S. Carolina.
Depositaries at Savannah and Augusta, Georgia.
Depositaries at Tallahassee, Fla., and Montgomery, Ala.
Depositaries at Columbus, Miss., and Houston and Marshall, Texas.
dec 6 3taw2m

TREASURY DEPARTMENT, RICHMOND, VA., Nov. 28, 1864
NOTICE is hereby given to holders and owners of certificates of Stock and Coupon Bonds issued under the act of August 19, 1861, redeemable after the first day of January, 1865, to present the same for payment on the SECOND DAY OF JANUARY, or at any time thereafter, to the Treasurer of the Confederate States, one of the Assistant Treasurers of the Confederate States, or a Pay Depositary of the Confederate States, funds having been placed in the hands of said agents for the purpose of redeeming such stock and coupon bonds. No interest will be allowed on such stock and coupon bonds after January first, 1865.
G. A. TRENHOLM,
de 13-taw2m Secretary of Treasury.

D. C. MURRAY & CO.,
AUCTION & COMMISSION MERCHANTS,
FAYETTEVILLE STREET, RALEIGH, N. C.,
Will attend promptly to all business entrusted to them.
Their Store rooms are large and secure. Sales room, the Store formerly occupied by H. L. Evans, next door to Messrs. Creech & Litchford, and immediately opposite the State Quartermaster's Department.
D. C. MURRAY,
JAS. A. MOORE
J. W. HARRISON.
December 30, 1864—dtf.

BLADDERS! BLADDERS!
WANTED A QUANTITY OF BEEF AND Hog bladders. Will pay twenty-five cents each for them.
They may be delivered, green or inflated and dried, to A. McLaclin, Goldsboro'; A. Miller, Clayton, or to H. J. B. Clark, at Graham, N. C.
dec. 30-d12t

NOTICE.
Having qualified as Executrix of the estate of SAMUEL MOORE deceased, notice is hereby given to all persons indebted to the estate, to come forward and settle the same, and all persons having claims against the estate, will please present them within the time prescribed by law, or this notice will be plead in bar of their recovery.
Mr. Moore contributed $500 to the Wake Forest College, some 7 or 8 years ago for which amount he gave his note. The holder of the note will please present it to me, or Mr. Thomas M. Holt, Haw River Post Office, N. C. who will settle the same. MARY A. MOORE,
dec. 28-d3t* Exct. of Sam'l Moore dec'd. Madison N. C.

WARRENTON FEMALE COLLEGE.
The Spring Session will begin on Wednesday, the 1st day of Feb'y 1865, and continue 20 weeks.
Prof. C. S. Peticolas, a successful teacher for more than 15 years in the City of Petersburg, will have charge of the department of Vocal and Instrumental Music. Parents intending to send their daughters will please apply at once.
Address. E. E. PARHAM, Prest.
dec 31-d5t Warrenton N. C.

FIFTY DOLLARS REWARD!
STRAYED from my residence in Raleigh, on Saturday night, a red and white COW—of small size and about six years old. I will give the above reward for her delivery and pay all expenses.
dec 19-tf D. K. McRAE.

DAILY CONFEDERATE.
ADVERTISING.
ADVERTISEMENTS will be inserted at THREE DOLLARS per square of ten lines (or less) for each insertion. Marriage notices and Obituaries will be charged as advertisements.
JOB WORK of every description will be executed at this Office with dispatch, and as neatly as can be done in the Southern Confederacy.

SUPREME COURT REPORTS.
The Reports of Cases at Law, Argued and Determined in the Supreme Court of N. C., June Term, 1864, No. 2, Volume 1, Equity Cases, No. 1, Vol. 1; reported by P. H. Winston, Esq.
Price of No. II, $12,50; No. 1, $7,50. Orders solicited from the Profession. Those who have already ordered from Mr. W. will remit payment to the subscriber. A. S. BAKER,
Raleigh, Oct. 27, 1864.—dtf Agent.

HIDES! HIDES!!
The undersigned returns his acknowledgements for the extensive patronage he has heretofore received at the hands of the people; and earnestly solicits a continuance thereof. Owing to the high prices of oil and tallow, I am compelled to "change my base," and will in future tan all hides for one third; which will be sold at the market price. Tanning done for indigent soldiers free of charge as heretofore, and those able to pay, can get their hides tanned at 50 cents per pound.
All persons who have hides in my yard will be informed when their leather is ready.
J. ROBT. JEFFREYS,
nov 18-tf Pacific P. O., R. & G. R. R.

HILLSBORO', N. C., MILITARY ACADEMY.
THE SEVENTH ACADEMIC YEAR of this Institution will commence on WEDNESDAY FEBRUARY 1st, 1865.
Applications for appointments must be timed prior to 15th December 1864, about which most the terms will be made known. Address
MAJ. WM. M. GORDON,
oct 1-d4m Superintendent

NORTH CAROLINA VOLUNTEER NAVY COMPANY.
Since our Agent has gone abroad to purchase a Vessel for the Company, frequent inquiries have been made, and a disposition manifested on the part of the public, to further subscribe to the Capital Stock of the North Carolina Volenteer Navy. It was therefore ordered by the Board of Directors at a meeting held in the town of Greensboro' on the first instant, that the books of the Company be reopened for further subscription to the Capital Stock, and remain open until the annual meeting of the Stockholders to be held in the city of Raleigh, on the 2d Thursday in January next, and notice is hereby given to the Stockholders generally, that business of great importance to the Company will be brought before this approaching meeting in January, and a full attendance is expected either in person or by proxy.
CYRUS P. MENDENHALL,
de 16 d12t President.
Conservative, Wilmington Journal, Salisbury Watchman and Charlotte Bulletin copy two weeks

$1,000 REWARD.
STOLEN,
FROM my Office, on the nigght of the 18th November, ult., my BOOK OF ACCOUNTS—settled and unsettled, for the years '63 and '64. It is a large Ledger and contains all the charges for my professional labors during the above-mentioned period of time. It cannot, under any circumstances, be of service to another save for its leather cover and remaining blank leaves, while it is of incalculable value to me.
I will give One Thousand Dollars reward for the recovery of it, and no questions asked.
dec 9-tf CHAS. E. JOHNSON.

FOR SALE.
A No. 1 English "HUNTER'S WATCH"—Gold—made on chronometer principles, by Bennett of Cheapside, London, manufacturer of chronometers for the English Navy. The watch is in perfect order, new and with an elegant gold chain, seal, &c. Apply to
TUCKER, ANDREWS & Co.

FIVE HUNDRED HANDS WANTED.
FIVE Hundred hands wanted to work on the grading and track laying of the Chatham Railroad. The highest market price will be given and hands well taken care of.
ALSO, 100 CARPENTERS,
Also, a Portable Steam Saw Mill Wanted.
Apply to KEMP P. BATTLE, Pres't Raleigh, N. C.,
or to J. E. ALLEN, Sup't, Cary, N. C.
dec 6-dtf
Conservative copy till forbid.

NEGRO AUCTION AND COMMISSION HOUSE.
ON THE FIRST DAY OF JANUARY next, at the Store formerly occupied by C. W. D. Hutchings, on Fayetteville street, in the city of Raleigh, the subscribers will establish an
AUCTION AND COMMISSION HOUSE, for the sale of SLAVES.
We have provided SAFE and COMFORTABLE quarters, and will be as moderate in our charges for board, &c., as the times will permit.
With an experience of twenty years in the trade, and the advantages of an extensive acquaintance, we flatter ourselves that we understand the business; and, with the assurance of quick sales and prompt returns, respectfully solicit public patronage.
dec 19 dtf W. F. ASKEW & CO.

FAYETTEVILLE, N. C., MILITARY ACADEMY.
The first Session of this Institution will commence the 1st of February, 1865. Applications for admission must be made prior to the 1st January, 1865; about which time the terms will be made known. Address
MAJ. WM. A. BANKS,
oct 24-w&dtf Superintendent.
Also wanted, TWO TEACHERS of military education and a STEWARD in this institution.—Address as above.

NEW PUBLICATIONS, BY THE METHODIST PUBLISHING COMPANY
RALEIGH, N. C.
FIRST READER, for Southern Schools:
Price per hundred.....$30,00
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SULLIVAN'S ENGLISH GRAMMAR, Revised by Rev. Dr. CRAVEN, (*in press*).
We can also furnish all
MUSIC,
Published in the South.
*** Catalogues of Music and Books sent when desired. Orders solicited, and will be promptly attended to. Address
oct 27 dtf REV. A. R. RAVEN.

NOTICE.
HAVING qualified as administrator of the estate of O. H. Foster, deceased, I propose to sell his interest in the Chatam Copper Mine, near Deep River. This interest gave him an exemption from the war and will, no doubt, entitle the purchaser to the same privilege. Persons wishing to buy can address me at Henderson, Granville county, N. C. FRD. R. A. JONES,
dec 22 d12t Administrator.

Daily Confederate.

D. K. McRAE, | A. M. GORMAN
EDITORS.

☞ All letters on business of the Office, to be directed to A. M. GORMAN & CO. ☜

TUESDAY, JANUARY 10, 1865.

When the Constitution of the Confederate States vested in Congress the power "To declare war; to raise and support armies; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; to provide for the calling forth of the militia; and for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States; and to make all laws which may be necessary and proper for carrying into execution all the foregoing powers, and all other powers vested by this Constitution in the Government of the Confederate States, or in any department or officer thereof:"

And when it further gave power to Congress to suspend the privilege of the writ of *habeas corpus* "in cases of rebellion or invasion when the public safety may require it, and further gave authority to the President, whom it had made commander-in-chief of the army and navy of the Confederate States, and of the militia of the several States when called into the actual service of the Confederate States, by and with the advice and consent of the Senate, to make treaties, and forbade the States to enter into any treaty, alliance or confederation, to enter into any agreement or compact with another State or with a foreign power;" it clothed the central government with a panoply of power deemed to be sufficient for all offensive or defensive measures which might become necessary to maintain the honor, assert the rights and defend the interests and liberties of the nation and people.

These powers, so explicit and so comprehensive, were self-imposed, by the representatives of the States themselves, in the most solemn form, by organic enactment; being an act of self-abnegation by the States of certain sovereign qualities and their delegation to a chosen representative.

By virtue of these powers, it is clear that Congress may, after having declared war, employ *all* the resources of the nation to carry it on. It may conscribe the citizens and enrol them in the Confederate service, whether as regular troops or as militia, as to it may appear fit. The only exception being, perhaps, that it is not contemplated that such constitutional officers of any State shall be taken, by whose conscription the State government would be hindered in its administration. It is further clear that no State has any right or exempt from service, except for the absolute necessity of carrying on its own government, any person or persons who may be liable to conscription by the Confederate Congress. And in order to guard against the possibility of this authority being weakened or obstructed, the privilege of the *habeas corpus* may be suspended, when by rebellion or invasion the public safety requires it. If Congress then were to pass a law of conscription, securing to the military service all the able bodied strength of the nation, and were to prescribe through what Departments the rules and regulations for the government of the army and navy should be enforced, and should call forth the militia and organize, arm and discipline and employ it in the service of the Confederate States, and should suspend the privilege of the *habeas corpus* writ during the invasion, it would unquestionably exercise only its constitutional powers; it would perform the functions prescribed for it in the organic law, and would be in the line of legitimate, rightful authority. There would and could be no oppression, tyranny or even injustice in its conduct, all of which has been thoroughly settled by judicial decisions.

To assert that there would be, is simply to accuse the States of having formally and deliberately created a despotism over their own heads, and over their citizens, by their ratification of the National Constitution. Since Congress possesses the power thus to use the citizen, and by another clause of the Constitution to take his property (on just compensation) for the public use, broadly, and amply, and completely as the Constitution allows—whether it will exercise it, is not to be discussed as a question of right, but as one of expediency. No citizen who is law-abiding, and has regard for his country and the allegiance which he bears towards it, could for a moment himself resist or hinder the exercise of these powers, or advocate such resistance in others, and if he be a public officer, he must forswear himself if he do so.

Inasmuch as these powers have been adopted in the Central Government in so formal and solemn a shape, having been engrafted into the organic law, and subsequently ratified by the sovereign States, it is manifest that they were deemed to be necessary powers; for the exercise of which, occasion might arise. Indeed, surrendering as they do so much of the natural individual rights of the citizen, it must be taken for granted that they would never have been bestowed, except they were essential to the formation of a stable and capable government. These powers constitute the highest attributes of sovereignty, being inherent in other governments as the *paramount authority*, and made so in *ours* by organic investment.

It having been established that these powers are granted, and in contemplation of their exercise, and in contemplation of a necessity where their exercise might become imperative, the next question is, under what circumstances is their exercise most justifiable?—What doubt there may be in any moral mind as to the propriety of making an offensive war, there can never be a question in morals or ethics of the right of self defence. If there would ever be a time when *all the sovereignty* should display itself in the plenitude of power, it would be in the event it should be assailed and invaded by a foreign power, and threatened in its existence. If this be a general rule, worthy of adoption, how aptly and fully does our situation fall within its examples? We are invaded by a powerful foe; and for the express purpose of destroying our Government, and coercing us into another form of Government, with a different association. The invading armies are occupying our territory, besieging our cities, laying waste our territory, consuming our property, blockading our ports and imprisoning and murdering our people, and conscripting others to fill the ranks of their armies, still further to devastate and subjugate us At the same time that our national, social and individual safety are all thus imperiled from foreign invasion, division, dissension, prompted by ill-timed and injudicious interference with Government authority, are enervating our strength and making us a more easy prey to our enemies. If this be not an emergency to call forth the energies of the Government—if this situation do not demand the assumption of the sovereign authority—then it is impossible to conceive that any emergency or any situation can ever invoke it.

We propose next to show the advantages to arise to the people from strong measures.

We publish to-day the able Opinion of the Supreme Court, delivered by Judge BATTLE, in *Bridgman's case*. It will be seen that it overrules the case of Russel, before decided by Judge Pearson at Chambers. This case then settles the law in this State, it will be seen, as to the liability of all State officers to military service, save those named in the State Constitution, which is left an open question. We shall follow this case with the opinion in the case of *Matthew Johnson*, which settles the law as to Mail Contractors and Stage drivers. Both of these are leading cases, and these and other cases founded upon them, and of which we have published an abstract, settle pretty generally and definitely the law, in this State, as to military exempts.

The News.

HEMHA MICCO, OR JOHN JUMPER.

The Macon *Telegraph* says it has recently been put in possession of some interesting facts with regard to this Indian—the Principal Chief of the Seminole nation. He is, at present, a Colonel in the Provisional Army of the Confederate States, and commands, a regiment of Indians, composed principally of Seminoles. Considerably over six feet in height, as straight as an arrow, and as graceful and light-footed as the deer which feed upon the prairies of his western home, he looks every inch the soldier and the chief. He is, withal, as gentle as a woman, as brave as the bravest, able in council, influential with his people, a pure patriot, and thoroughly devoted to the cause of the South. His name should become a household word with the citizens of the Confederate States.

The *Telegraph* gives an extract from his "talk" to Colonel S. S. Scott, Commissioner of Indian affairs at Fort Washington, 9th October last: We give an extract. It will be found scarcely less eloquent in its simplicity and true feeling than the celebrated speech of Logan:

"Permit me to express to you the gratification we feel because of your visit. We thank you for the very friendly and satisfactory address this morning. We are strengthened and encouraged. We will remember your words when you are far away. We will profit by them.

"In the fall of 1862, I first met you at Fort Arbuckly. You asked me if I had any request to make of the President of the Confederate States. I told you I had none. We were then by our firesides, living in comparative quiet. But war came to our country and drove us from pleasant homes. We are now wanderers and strangers; yet the Confederate States have not deserted us. We have been provided for; our women and children are fed; our soldiers get all they should expect.

"The Government is engaged in a great war. She cannot do any more for us than she is doing. Perhaps, when the war is over, we shall be perfectly satisfied with her bounty. All claims will be adjusted. In view of these things, I again say to you, I have no request to make of the President. He will, without asking, do all for us that we should expect. I wish you, however, to assure the President that the Seminoles are yet true and loyal.—Their treaty stipulations are sacred; the destiny of your government shall be ours; if she ails we will go with her; if she triumphs, fne rejoicing will be more sincere than ours,

FROM VICKSBURG.

A lady who arrived in Jackson the 10th, direct from Vicksburg, informs the *Mississippian* that for several days previous the authorities were anticipating an attack upon the place from the Confederates, and that every male inhabitant between the ages of 18 and 45 has been enrolled and organized into the militia, and they are mustered and drilled daily. There is scarcely any business done in Vicksburg—goods are high, the place is crowded with people, mostly negroes. A raid is intended to be made across the Big Black soon, and probably an effort will be made to come as far out as Jackson.

A PROFITABLE OPERATION.

At Columbia, Tenn., says a correspondent, hats and boots were gobbled up by officers for $10 and $14 each in Confederate money. Our army got immediate supplies sufficient for six months.

GEN. JOHN ADAMS.

Brigadier General John Adams of the Mississippi Brigade, says a correspondent of the Selma *Rebel*, was shot through the body at Franklin nine times. No one ever died more bravely or gallantly. The Yankees robbed his body of his pocket book, watch, and his large seal ring. They took his wife's picture, but gave it to one of the wounded men, who returned it.

A Sister's Shame.

We copy to-day from the *Constitutionalist* the proceedings of a meeting held in Savannah, presided over by the Mayor of the city, Dr. Arnold.

The action of the meeting formally dissolves all connection between the city and the Confederacy, and burying the head of secession in sack cloth and ashes, they sue at the feet of infamy for a niche in the temple of disgrace. We blush for Savannah, and as much as we execrate the conduct of the people, we pity them. The fair fame of the Forest city is tarnished by the disreputable conduct of, what we cannot but believe to be the smallest portion of her citizens. They have looked down the black vista of ruin and desolation which Sherman left behind him in his march through the heart of the Empire State to their city; they have had the record of the past, written in blood from the glory haloed field of Manassas to the not less memorable but fatal one of Franklin—they can look upon the bleaching bones of thousands of heroes who have died for their country—and yet are willing to throttle the voice that comes from these bloody fields to bid us fight on, and say to miserable tyrants who have worked the ruin of our country, and murdered our best citizens, "take us back, we will be one with you!" Oh, shame, shame upon the perfidy; away with the ignominy. We believe Savannah will yet be disenthralled, and then she will spew from her mouth the impious wretches who would sell her honor to him who knows not honor. The men who would sell their country in such an hour as this, would sell their souls for a consideration in dollars and cents—would sell their Lord for less than thirty pieces of silver.

The foregoing from the Augusta *Daily Register*, speaks in bitter terms of the action taken by certain citizens of Savannah who, in a public meeting held upon the call of the Mayor, have formally renounced their allegiance to the Confederacy and, in the language of their resolution "seek to have peace by laying down our (their) arms and submitting to the national authorities," claiming "the immunities and privileges contained in the proclamation of the President of the United States." This is the end to which we have expected *all* unwarrantable *peace negotiations*, to come; this the terminus of "State sovereignty and separate State action," as harped upon by their especial champions. What we have heretofore said of Georgia in connection with Sherman's successful march through her territory, was not intended to add a pang to the sensibilities of any loyal son of hers We intended to attribute the fault of that great calamity to those who have subdued the spirit of Georgia patriotism, or weakened it by disaffection. And the truth of what we said is now more apparent; and we fear that not in Savannah alone are there to be found numbers who are ready to make the same tame and shameful submission. But these men in Savannah, whoever they may be, are fixing their own lot, but by no means settling the destiny of the Confederacy.

But this should be an admonition to Congress for action—prompt, vigorous action—worthy of a Government possessed of sovereignty and holding in charge the vital interests of a multitude of people. Let it call into requisition the military strength, employ *all* the means that our enemies use for assailing us, in order to resist them—and Sherman will be brought to grief, and the cowardly conduct of the submissionists in Savannah will recoil on their heads with such terrible force, that never again will there be found others willing to follow their example.

We are glad to see that the "duties of Editor" of the *Conservative* have been assumed by a known and responsible person. We shall have no difficulty in the discussion of points of difference, now that we know with whom we have to deal. Mr. Robbins promises all that could be desired of an independent and patriotic editor, and we wish him an abundant success, personally, and in all his efforts to support the Confederate and State governments and to restore to us an honorable peace. We subjoin his Card Salutatory:

Having assumed the duties of Editor of the *Conservative*, the undersigned begs leave to say to the patrons of the paper and the public, that his time and whatever little talents he may possess, will be devoted to it, in the earnest endeavor to make it in every respect worthy of not only the extensive patronage it has heretofore enjoyed, but still more extensive, if possible. It will continue in future, as heretofore, to contain the latest telegraphic and other news, faithful reports of the proceedings of the Legislature when in session, and such news as will be most interesting and important to the public. In politics it will continue to advocate conservative policy as the only hope of the country. And while it will eschew any and all political wrangling, the end and aim of which rise not above *party*, it will not shrink from a discussion involving the weal or woe of the country. In its columns all measures emanating from either the Confederate or State government, which are believed to be dictated by sound policy, will receive a cordial support; while such as will not bear being tried by the standard of the constitution will be calmly and honestly but fearlessly criticised and condemned.

In regard to the terrible war in which we are now engaged, the *Conservative* will espouse and advocate any practicable and constitutional plan which presents a fair prospect of producing a cessation of arms by restoring to us an honorable peace, and at the same time it will oppose any impracticable propositions, which may be in conflict with the constitution and the fundamental principles of our government, tending as such propositions generally do, to encourage the public enemy, and distract, divide and weaken ourselves; and in all respects we shall endeavor so far as a candid and truthful statement of facts and the reasonable inferences to be drawn therefrom, can be pleasant, in times like these, to make the Daily and Weekly visits of the *Conservative* both agreeable and profitable.

MARMADUKE S. ROBBINS.

We received our full complement of exchanges yesterday, North and South, but find no news of importance from any direction.—Our columns are occupied with articles of a local and miscellaneous character, which we trust will be acceptable to our readers.

Supreme Court Decisions.

SETH BRIDGMAN VS. PETER MALLETT.

The petitioner was, prior to the 26th day of April, 1864, a Lieutenant in the army of the Confederate States, but, by an order of that date, he was dropped from the roll as an officer. At the August Term, 1864, of the Court of Pleas and Quarter Sessions for the county of Hyde, he was elected Register of the county and was duly qualified as such, by entering into bond and taking the necessary oaths. Subsequently, to-wit, on the 22d of September, 1864, he was ordered, as a conscript, by the enrolling officer of the county to report himself without delay to the camp of instruction, near Raleigh. The date of enrolment is not distinctly specified, either in the petition or return; though it is strongly to be inferred from the allegations of the petitioner, that it was prior to his election as Register. That however, I consider as immaterial, because I think that, under the army regulations, he was in the military service, as a private, as soon as he was dropped from the roll as an officer. See Army Regulations. It is agreed by the counsel that a Register of a county is a civil officer of the State, and that the Governor had claimed the petitioner as an exempt from military service in the army of the Confederate States. Upon this statement of facts, it is contended by the counsel for the petitioner first, that he is entitled to a discharge from custody upon a just construction of the 2d paragraph of the 10th section of the act of Congress, ratified on the 17th day of February, 1864, though he was in the military service when he was elected Register of Hyde county. Secondly, if that be not so, that after his election and qualification as a civil officer of the State, he became exempt from any further service in the army of the Confederate States, because Congress has no power to restrict the State in the selection of any of its citizens, whether in or out of the army, to fill any office necessary to the action of its government. I differ from the counsel as to the correctness of his position, and will proceed to state, as well as I can, the reasons upon which my opinion is founded:

1. In ascertaining and settling the construction of the military act of February 1864, it is proper to avail ourselves of any light which may be thrown upon the subject by any statute, *in pari materi*, particularly if it were passed about the same time 1 Black, Comm. 60. It appears from the Act of Congress, approved the 5th day of January 1864, entitled "an act to put an end to the exemption from military service of those who have heretofore furnished substitutes," that the country was then in very great need of soldiers, the preamble recites that: "Whereas in the present circumstances of the country it requires the Congress of the Confederate States do enact," aid of all who are able to bear arms; the &c. This most pressing want of the Confederate Government is, if possible, still more strongly shown in the act under consideration It repeals all former laws which granted exemptions and thus at once, sweeps away the long list of exempts which may be found in the act of October, 1862. It enlarges the ages of conscripts from 18 and 45 to 17 and 50, thus calling into the field of active service boys and old men. It takes from their homes almost every person capable of bearing arms—except those officers who are necessary to the proper administration of the Confederate and State Governments, and a few others who were deemed necessary to carry on the educational, industrial and other indispensable pursuits of the country, with the addition of a still fewer number who are restrained from bearing arms by religious scruples. With this most urgent, pressing demand for soldiers for the defence of the country, in its life and death struggle for national existence, placed thus prominently before us; have we a right to infer that Congress intended by the exemptions which it granted in the act of February, 1864, to release from further service, in the army, any soldier whom it has a right to retain there? It seems to me to be ignoring the whole spirit of the act to suppose so. I cannot come to any such conclsion, unless I find it so declared by the express terms of the act. So far from finding any express declaration in the act to that effect, the terms of exemption may be fully satisfied by confining them to the persons filling office or occupying positions or engaged in pursuits at the time of their enrolment. In some cases the persons exempted must have been employed in the duties of their office or profession, at the date of the act, and could not entitle themselves to exemption by subsequently engaging in such office or profession even prior to the time of their enrolment. This is the case with regard to ministers of religion, physicians and schoolmasters. All the farmers of the country are put into the army, except the bonded overseers of 15 able bodied field hands; and even they, it seems, might have been deprived of the benefit of the exemption, had they been enrolled since the 1st of February 1864, but for a special provision in their favor. See 4th par. of the 10th sec. of the act of February, 1864. Looking them over the whole act from the first section to the last, I am unable to discover anything, either in its language or its spirit, which releases or exempts from service any person already in the army as a soldier. The fact that by another act of Congress, officers and soldiers in the army may become exempt from further service by being elected to certain offices or places of trust, either in the State or Confederate Government, does not affect the present case, which depends, in the view in which I am now taking of it, entirely upon the construction of the act of February, 1864.

2. The second position taken for the petitioner by his counsel, is a much more important one, affecting as it does, the relative powers and rights of the Confederate and State Governments; and I therefore approach its discussion with much diffidence; particularly as I find that the conclusion at which I have arrived is at variance with the opinion entertained by many of those for whose learning and ability I entertain the highest respect. The difficulties of the case arise from the fact that the same persons are citizens of two separate and distinct sovereigns, to both of which they owe duty and allegiance. If the constitutions, upon which these respective governments are based, be rightly construed and rigidly adhered to, there will be little or no danger of their clashing or interfering with each other in their respective demands of service from the people. In the distribution of the powers of sovereignty, it is conceded that the States have conferred upon the Confederate government the war power, that is the power to declare war, and to raise and support armies. It has been held by all the great statesmen and judges of the country that this power is, with a slight exception, unlimited. In aid of this, and the other powers vested in the general government, the Constitution declares that Congress shall have power "to make all laws which shall be necessary and proper for carrying them into execution." See art. 1, sec. 8, par. 18. And it asserts the supremacy of the Confederate States as to the powers conferred upon the Government, by declaring that "this Constitution and the laws of the Confederate States, made in pursuance thereof, shall be the Supreme law of the land, and the Judges shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding." Although the war power of the Confederate Government is thus absolute and unlimited in terms, and the supremacy of that Government over the States, with regard to that power, is thus clearly and distinctly asserted, it has been decided, and I think rightly decided, that the Confederate Government cannot, in the exercise of the war power, destroy the States by conscribing those officers who are necessary to the action of the State Governments. See Burroughs vs. Peyton, decided by the Supreme Court of Appeals of Virginia and recognized as authority in Johnson vs. Mallett, decided by this Court. Whatever persons filled any office in the State, which the Legislature declared to be necessary for the State Government, when the act of February, 1864, was passed, were thereby placed beyond the power of conscription by the Confederate Government. That Government is founded upon the State Governments as sovereigns, and cannot exist without them. The superstructure must fall when its pillars are taken away or destroyed.

But the case is reversed when the Confederate government has, in the exercise of its rightful supreme war power, conscribed into its service a man who is not an officer of the State, and the State is attempting to take him out of it by electing him to an office. The man, as a citizen, owed the duty to the general government, which it had called upon him to perform, just as much as it owed the duty to the State to accept and discharge the duties to which he was elected. Here are two obligations undoubtedly binding upon the man, but which being inconsistent, cannot both be performed at the same time. How can this conflict be settled, but by resorting to a principle of potent efficacy both in international and municipal law, that priority of possession gives a priority of right. This would seem to be a just rule even if the two governments were equal in their powers, with respect to the subject, and it surely cannot operate against that government whose power, in that particular, is supreme. The State must, in such a case, yield to the prior claim of the general government, and select some other man to fill its office. The argument that, perhaps the State cannot find another person out of the army fit for the place, is answered by the equally probable supposition, that the general government may not be able to procure another fit person for a soldier. When either supposition shall become certainty, it will be, when both governments are on the eve of destruction.

The petitioner, in the present case, is not one of the officers of the State who is recognized in its Constitution, as being essential to the government. If he were so, the argument in his favor, would be much stronger—perhaps irresistible. The Constitution declares in express, or necessarily implied terms, that there shall be a Governor, Judges of the Supreme Court, Justices of the Peace, a Sheriff, a Coroner or Coroners, and Constables in each county, a Secretary of State and several other officers; also, members of both Houses of the General Assembly; and, it may be that, with regard to all these, the State never surrendered her right to have the offices and places filled by any of her citizens, whether they should be, at the time of their election, in the service of the general government or not. This is a question of the highest importance to both governments, and I will not undertake to decide upon it, until it becomes necessary in the performance of my judicial duty to do so. It may also deserve more consideration than the subject has yet received, whether the Legislature can deprive the State of any of those constitutional officers by permitting them to be conscribed, as it purports to do, as to some of them, by the act of December 14th, 1863. See Laws of the Extra Session in December, 1863, chapter 14.

My conclusion upon a full consideration of the whole matter is, that the judgment which I rendered in vacation in favor of the petitioner, founded, as I expressed at the time, upon the previous case of *Russell vs. Whiting*, decided by the Chief Justice, was erroneous, and ought to be reversed with costs, and that the petitioner must be remanded to the custody of Major Peter Mallett, Commandant of Conscripts.

WILL. H. BATTLE.

I concur in this opinion.

M. E. MANLY.

I dissent from this decision.

R. M. PEARSON.

From the North.

The Richmond papers of Saturday, contain a batch of extracts from Northern papers, of very little importance. The story of the Blairs coming South as peace negotiators is now denied—they came as visitors to Grant, and nothing more.

The Nothern papers copy the notorious article from the Richmond *Enquirer*, about abandoning slavery in the South, provided France and and England will guarantee the independence of the Southern Confederacy; but ascribe it to the Richmond *Sentinel*, which they say is President Davis' organ, and speaks his sentiments. There is about as much reason and truth in the statement, as there was use for the following Yankee accompaniment of the statement:

The following editorial from the Richmond *Sentinel* has been deemed by Secretary Seward of such importance, and so truly representing the condition of the South and Jeff Davis's own intention, that he has ordered copies of it to be sent to our foreign leaders, to show that the rebel Government is admitted by their own ministers to be a failure, and that, already exhausted and worn out, they are seeking for some port of refuge; and this being the case, that they be no loger considered as "belligerents." Those most familiar with Jeff Davis and his writings declare this to be from his pen.

New Advertisements.

Col. W. H. Tucker, candidate for Commissioner in Western Ward.

New School in Raleigh—Mr. Dowell.

Thos. Branch wants N. C. R. R. Bonds.

University of North Carolina.

Sale of Valuable Servants on the 18th, by Tucker, Andrew & Co.

$30 Reward for a lost Breastpin.

Negroes to Hire—C. H. Cuthbert.

J. M. Lovejoy's Academy.

J. H. Horner's Classical and Mathematical School.

A No. 1 Negro Man, to be sold by Creech & Lithford on Thursday;

Several communications on hand, which shall have place as fast as we can make room for them.

PROMOTED.—Major W. C. Lankford to Lt. Colonel of the 47th N. C. Regt.

TELEGRAPHIC.

REPORTS OF THE PRESS ASSOCIATION.

Entered according to act of Congress in the year 1863, by J. S. TURASMAN, in the Clerk's office of the District Court of the Confederate States for the Northern District of Georgia.

Sherman's Movements.

CHARLESTON, Jan. 8.—A dispatch from Grahamville, 12: 45, p. m, says no news from the enemy this morning. A gentleman just from Savannah, reports that Sherman has sent the 17th army corps around to Beaufort, S. C, to co-operate with Foster's troops between Pocotaligo and Coosawatchie.

Exchange of Prisoners.

RICHMOND, Jan. 9.—A flag of truce boat arrives at Varina to-day. Col. Mulford had an interview with Colonels Ould and Hatch. Another interview will take place to-day. It is supposed that Mulford will submit to propositions for an exchange of prisoners.

Confederate Congress.

RICHMOND, Jan. 9.—Nothing important done in the Senate.

The House passed the Consolidation Bill by one majority. The vote was reconsidered, and pending its further consideration, adjourned.

Northern News.

RICHMOND, Jan. 9.—Baltimore American of the 6th received. An arrival from Hilton Head reports Sherman's army quietly resting. No aggressive movement yet undertaken. Kilpatrick's cavalry however are constantly on the scout, watching Hardee. The army was organizing and preparing for the commencement of a new campaign.

Telegrams from Courtland, Alabama, say Steadman's command captured and burned Hood's pontoon train, also captured 600 mules and over one thousand wagons and two thousand hogs.

Forrest is reported near Russellville.

Stanton has gone to Savannah to confer with Sherman.

A Memphis telegram of the 4th claims Dana's raid on the Mobile and Ohio Railroad was completely successful. Twenty-four bridges were burned, four thousand carbines and a large amount of ammunition was captured.

The New York Chamber of Commerce has adopted a resolution thanking Capt. Collins for the capture of the Florida.

MILITARY ITEMS.

Gen. Quarles, who was reported to be mortally wounded at the battle of Franklin, Tenn., will probably recover. He lost a right arm.

General L. J. Gartrell is slowly improving. He had two ribs broken by a shell at Coosawatchie.

The object of the Hon. A. R. Wright, of Georgia, in going North, was to procure a parole for his son a prisoner at Camp Chase.

NEW ADVERTISEMENTS.

WESTERN WARD.

We take pleasure in recommending Col. W. H. TUCKER for re-election in the Western Ward.—He has served us long and faithfully, for which services let us re-elect him by a unanimous vote.
jan 10 d6t MANY VOTERS.

SCHOOL NOTICE.

MR. DOWELL will open school on Monday, 16th January. Number limited. Terms $100 per session in advance. jan 10-d2t*

NORTH CAROLINA RAILROAD BONDS.

A liberal price will be paid in cash for $10,000 North Carolina R. R. Bonds, or State Bonds will be given in exchange. Apply immediately to
THOS. BRANCH,
jan 10-d3t Raleigh, N. C.

UNIVERSITY OF NORTH CAROLINA.

The next Session of this Institution will begin on Saturday, the 14th of January. The corps of Instructors is full, and ample opportunities for improvement will be offered in all the departments.
DAVID L. SWAIN,
jan 10-d4t President.

J. M. LOVEJOY'S ACADEMY.

The Forty-Seventh Session will commence on the 16th of January, 1865.
All students required to drill.
For particulars, address the Principal.
J. M. LOVEJOY.
Raleigh, Jan. 10th, 1865.—d6t
*** Progress copy one week.

CLASSICAL AND MATHEMATICAL SCHOOL.

The next Session of this School will commence the 1st day of February. The members of the Senior Class are requested to return on Monday, the 16th instant.
A competent drill-master will take charge of the Military Department.
J. H. HORNER, Principal.
Oxford, N. C., Jan. 10, 1865.—e7t*

NEGROES TO HIRE.

1 Female Cook, Washer and Ironer.
2 Male Dining Room Servants.
1 good Shoemaker.
1 " Stationary Engineer.
2 " House Servants (female)
Apply to
jan 10-d2t* CHAS. H. CUTHBERT.

$30 REWARD—LOST,

Between Mrs. Moses', the Milliners, and the Episcopal Church, *via* Fayetteville Street, a
JET CROSS BREAST PIN,
tipped with gold, chiefly valuable as a memento. The finder will be paid the above reward on leaving it at THIS OFFICE.
jan 10-d1t

AUCTION SALES.

ON JANUARY 18TH, 1865.

1 Boy 17 years old.
1 " 19 " "
1 " 26 " "
1 " 18 " "
1 Girl 16 " "
1 " 18 " "
1 " 14 " "
1 Woman and Child.
1 " " 27 years old, good Cook, Washer and Ironer.

The above Negroes are sold for no fault, all No. 1. They can be seen any day previous to day of sale.
TUCKER, ANDREWS & CO.,
jan 10-2t-tues-thu Auct's. & Com. Merchants.

NEGROES AT AUCTION!!

On Thursday next, in front of our Store, we will sell a No. 1 NEGRO MAN, 26 years old, sound and healthy.
CREECH & LITCHFORD,
jan 10-d3t Auctioneers.